

Policy 5131: Conduct

Status: DRAFT

Original Adopted Date: 09/20/2001 | Last Revised Date: 06/07/2012 | Last Reviewed Date: 06/07/2012

The Governing Board believes that all students have the right to be educated in a safe and positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, going to or coming from school, at school activities, or using district transportation.

Behavior is considered appropriate when students are diligent in study, careful with school property, courteous, and respectful towards their teachers, other staff, students and volunteers.

The Superintendent or designee shall ensure that each school site develops standards of conduct and discipline consistent with Board district policies and administrative regulations. Students and parents/guardians shall be notified of district and school rules related to conduct.

Students and parents/guardians shall be notified of district and school rules related to conduct and shall receive regular instruction regarding these rules. In addition, parents/guardians and students may be provided information about early warning signs of harassing/intimidating behaviors, such as bullying, as well as prevention and intervention strategies.

Prohibited student conduct includes but is not limited to:

1. Conduct that endangers students, staff, or others, including, but not limited to, physical violence, possession of a firearm or other weapon, and terrorist threats
2. Conduct Behavior that disrupts the orderly classroom or school environment
3. Discrimination, harassment, intimidation, or bullying of students or staff, including sex-based harassment, hate-motivated behavior, cyberbullying, hazing or initiation activity, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm, or substantial disruption to the school program
4. Willful defiance of staff's authority
5. Damage to or theft of property belonging to the district, staff or students

The district shall not be responsible for students' personal belongings which are brought on campus or to a school activity and are lost, stolen, or damaged.

6. Obscene acts or use of profane, vulgar, or abusive language
7. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited substances drugs
8. Possession or use of laser pointers, unless used for a valid instructional or other school-related purpose with prior permission of the principal or designee, including employment (Penal Code 417.27)

Prior to bringing a laser pointer on school premises, students shall first obtain permission from the principal or designee. The principal or designee shall determine whether the requested use of the laser pointer is for a valid instructional or other school-related purpose.

9. Plagiarism or dishonesty in on school work or on tests
10. Wearing of any attire that violates district or school inappropriate dress codes, including gang-related apparel
11. Tardiness and unexcused absence from school
12. Failure to remain on school premises in accordance with school rules
13. Use of a cellular/digital tele smart phone, pager, or other mobile communications device during instructional

timer in an unauthorized manner

14. Other conduct prohibited by Education Code 48900-48915

Such devices shall be turned off in class, except when being used for a valid instructional or other school-related purpose as determined by the teacher or other district employee, and at any other time directed by a district employee. Any device with camera, video, or voice recording function shall not be used in any manner which infringes on the privacy rights of any other person. Additionally, the use of any electronic device to record inappropriate behavior is prohibited and is subject to possible disciplinary action, to include but is not limited to suspension and expulsion.

No student shall be prohibited from possession or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and the use of which is limited to health-related purposes. (Education Code 48901.5)

Enforcement of Standards

Employees are expected to provide appropriate supervision to enforce standards of conduct and, when they observe or receive a report become aware of a violation of these standards, to appropriately immediately intervene or seek call for assistance. As necessary, if an employee believes a matter has not been resolved, he/she shall the employee shall refer the matter to his/her supervisor or the principal or designee administrator for further investigation.

When a school employee official suspects that a search of a student or a student's his/her belongings will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with BP/AR 5145.12 - Search and Seizure.

When a student uses any prohibited device, or uses a permitted device in any unethical or illegal activity unauthorized manner, a district employee may confiscate the device. The employee shall store the device item in a securely manner until it is returned to the student or turned over to the principal or designee, as appropriate an appropriate time.

Students who violate district or school rules and regulations may be subject to discipline, including, but not limited to, suspension, expulsion, or transfer to alternative programs, referral to a student success team (SST) or counseling services, or denial of participation in extracurricular or cocurricular activities or other privileges in accordance with Board policy and administrative regulations. In addition, when the conduct involves intimidation, harassment, or other endangerment of a student or employee, the Superintendent or designee shall provide appropriate assistance as necessary for the victim and the offender or make appropriate referrals for such assistance. The Superintendent or designee shall notify local law enforcement as appropriate.

Students also may be subject to discipline, in accordance with law, Board policy, or administrative regulation, for any off-campus conduct during nonschool hours which poses a threat or danger to the safety of students, staff, or district property, or substantially disrupts school activities.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 300-307	Duties of students
Civ. Code 1714.1	Liability of parent or guardian for act of willful misconduct by a minor
Ed. Code 200-270	Prohibition of discrimination
Ed. Code 32280-32289.5	School safety plans
Ed. Code 35181	Governing board authority to set policy on responsibilities of students
Ed. Code 35291-35291.5	Rules
Ed. Code 44807	Teachers' duty concerning conduct of students
Ed. Code 48900-48925	Suspension and expulsion

State

Ed. Code 51512
 Pen. Code 288.2
 Pen. Code 313
 Pen. Code 417.25-417.27
 Pen. Code 647
 Pen. Code 653.2
 Veh. Code 23123-23124

Description

[Prohibition against electronic listening or recording device in classroom without permission](#)
[Harmful matter with intent to seduce](#)
[Harmful matter](#)
[Laser scope or laser pointer](#)
[Use of camera or other instrument to invade person's privacy; misdemeanor](#)
[Electronic communication devices; threats to safety](#)
[Prohibitions against use of electronic devices while driving](#)

Federal

20 USC 1681-1688

Description

Title IX of the Education Amendments of 1972; discrimination based on sex

Management Resources

California Department of Education Publication
 Court Decision
 Court Decision
 Court Decision
 Court Decision
 Court Decision
 Court Decision
 Court Decision
 CSBA Publication
 CSBA Publication
 CSBA Publication
 Website
 Website
 Website
 Website
 Website
 Website

Description

[Bullying at School, 2003](#)
 Mahanoy Area School District v. B.L. (2021) 141 S.Ct. 2038
 Lavine v. Blaine School District (2001, 9th Cir.) 257 F.3d 981
 New Jersey v. T.L.O. (1985) 469 U.S. 325
 Tinker v. Des Moines Independent Community School District (1969) 393 U.S. 503
 Bethel School District No. 403 v. Fraser (1986) 478 U.S. 675
 Emmett v. Kent School District No. 415 (2000) 92 F.Supp. 1088
 J.C. v. Beverly Hills Unified School District (2010) 711 F.Supp.2d 1094
 LaVine v. Blaine School District (2000, 9th Cir.) 257 F.3d 981
 Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007
 Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010
[Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011](#)
[CSBA District and County Office of Education Legal Services](#)
[National School Safety Center](#)
[Center for Safe and Responsible Internet Use](#)
[California Department of Education, Safe Schools](#)
[CSBA](#)
[U.S. Department of Education](#)

Cross References

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Description

[Comprehensive Safety Plan](#)
[Comprehensive Safety Plan](#)
[District-Sponsored Social Media](#)
[District-Sponsored Social Media](#)
[Recovery For Property Loss Or Damage](#)
[Recovery For Property Loss Or Damage](#)

Cross References

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[Staff Development](#)
[Professional Standards](#)
[Professional Standards - Code Of Ethics](#)
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[Professional Standards](#)
[Professional Standards - Code Of Ethics](#)
[Concepts And Roles](#)
[Parent Rights And Responsibilities](#)
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[Absences And Excuses](#)
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[Graduation Ceremonies And Activities](#)
[Bus Conduct](#)
[Bus Conduct](#)
[Bullying](#)
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[Vandalism And Graffiti](#)
[Alcohol And Other Drugs](#)
[Alcohol And Other Drugs](#)
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[Steroids](#)
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[Weapons And Dangerous Instruments](#)
[Weapons And Dangerous Instruments](#)
[Academic Honesty](#)
[Dress And Grooming](#)
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[Gangs](#)
[Positive School Climate](#)
[Child Abuse Prevention And Reporting](#)
[Child Abuse Prevention And Reporting](#)
[Suicide Prevention](#)
[Suicide Prevention](#)
[Safety](#)
[Safety](#)
[Discipline](#)
[Discipline](#)
[Suspension And Expulsion/Due Process](#)
[Suspension And Expulsion/Due Process](#)
[Suspension And Expulsion/Due Process \(Students With Disabilities\)](#)
[Search And Seizure](#)
[Search And Seizure](#)
[Freedom Of Speech/Expression](#)
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[Sex Discrimination and Sex-Based Harassment](#)
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[Behavioral Interventions For Special Education Students](#)

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